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Attorneys for Defendants Illuminate Education, Inc. d/b/a Pupil Path

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

ANASTASIYA KISIL, mother and natural guardian of "JOHN DOE," an infant, individually and on behalf of others similarly situated

Plaintiff,

v.

**ILLUMINATE EDUCATION, Inc. d/b/a
PUPIL PATH,**

Defendant.

CASE NO. 8:22-cv-01164-JVS-ADS

**JOINT STIPULATED REQUEST
TO CONTINUE CURRENT
DEADLINES IN ANTICIPATION
OF CONSOLIDATION MOTION**

Pursuant to Local Rule 7-1 and this Court's Procedures, Plaintiff Anastasiya Kisil ("Plaintiff") and Defendant Illuminate Education, Inc. ("Illuminate") (collectively, the "Parties") hereby jointly stipulate and agree, subject to the approval of the Court, and for good cause, to continue all current and forthcoming deadlines in this case in anticipation of formal consolidation of this and other related matters.¹ In support of this request, the Parties state as follows:

1. In addition to this matter, which involves a New York plaintiff, three other putative class actions have been filed against Illuminate in federal and state court:

a. *Cranor v. Illuminate Education, Inc.*, No. 8:22-cv-01404-JVS-ADS (C.D. Cal.), filed on July 28, 2022, involving a Colorado plaintiff.

b. *Magallanes v. Illuminate Education, Inc.*, *Magallanes v. Illuminate*, No. 56-2022-00567324-CU-MC-VTA (Cal. Sup.), filed on June 22, 2022, involving a California plaintiff.

c. *Chung v. Illuminate Education, Inc.*, No. 1:22-cv-03310-HG (E.D.N.Y.), filed on May 26, 2022, involving a New York plaintiff.

2. These cases all arise out of the same allegations about an underlying data-security incident involving certain of Illuminate's systems between December 2021 and January 2022.

3. These cases involve similar and, in many instances, directly overlapping causes of action. The cases also involve overlapping putative classes, including a nationwide class and Colorado and New York subclasses..

4. Two of these cases—*Kisil v. Illuminate* and *Cranor v. Illuminate*—are already before this Court.

¹ A similar stipulation is being filed in *Cranor v. Illuminate Education, Inc.*, No. 8:22-cv-01404-JVS-ADS (C.D. Cal.), which is a related case pending before this Court.

1 5. Illuminate has moved to transfer the remaining federal case—*Chung v.*
2 *Illuminate*—from the Eastern District of New York—and plaintiff’s counsel in *Chung* has
3 consented to transfer. *See Chung v. Illuminate Education, Inc.*, No. 1:22-cv-03310-HG
4 (E.D.N.Y.), Docket No. 18.

5 6. The Parties have agreed that they will formally move to consolidate the
6 *Cranor* and *Kisil* cases, and that they will further seek to consolidate those cases with the
7 *Chung* action, should the Court in the Eastern District of New York grant the transfer
8 motion.

9 7. The Parties further agree that in light of the agreed-upon and forthcoming
10 efforts to consolidate, it serves the interests of judicial economy to establish a new schedule
11 that allows for streamlined proceedings in these matters, rather than overlapping
12 proceedings that would involve duplicative motions practice, duplicative schedules for
13 both discovery and trial, and corresponding burdens on both the Parties and the Court.

14 8. WHEREFORE, the Parties respectfully request that the current case deadlines
15 be continued as follows:

16 a. Within 14 days of the ruling on the motion to transfer, the Parties will
17 file a motion to consolidate and/or Plaintiffs will file a motion or stipulation for the
18 appointment of lead counsel.

19 b. Within 60 days of the ruling on the motion to consolidate and/or
20 appointment of interim lead counsel, Plaintiffs will file a consolidated complaint.

21 c. Within 60 days of the consolidated complaint, Illuminate will file its
22 motion to dismiss.

23 d. Plaintiffs will then have 45 days to respond to Illuminate’s motion to
24 dismiss, and Illuminate will have 30 days to reply.

1 The Parties are happy to appear for a status conference before the Court to discuss
2 any of the issues or deadlines above.
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4 Dated: August 9, 2022
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6

/s/ Devin S. Anderson

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21 *Attorneys for Plaintiff*

1 **ATTESTATION PURSUANT TO CIVIL L.R. 5-4.3.4(a)(2)**

2 The filer attests that all other signatories listed, and on whose behalf the filing is
3 submitted, concur in the filing's content and have authorized the filing.

4

5 DATED: August 9, 2022

6 _____
7 /s/ Devin S. Anderson
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